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Superior Court of California
County of Los Angeles

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL DISTRICT

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

MICHAEL JEFFREY HAYDEN and MICHELLE
HELEN WILSON, as trustees of the GOLDEN
BOUGH TRUST DATED JULY 3, 2001; and DOES
1 through 50, inclusive,

Defendants.

Case No.:

BC 578262

**COMPLAINT FOR ABATEMENT
AND INJUNCTION**

[HEALTH & SAFETY CODE
SECTION 11570, *ET SEQ.*; CIVIL
CODE SECTION 3479, *ET SEQ.*;
BUS. & PROF. CODE SECTION
17200, *ET SEQ.*]

[Unlimited Action]

PLAINTIFF, THE PEOPLE OF THE STATE OF CALIFORNIA, alleges as follows:

I. INTRODUCTION

1. This action ("Action") is brought and prosecuted by Plaintiff, the People of the State of California ("People"), for the purpose of abating, preventing, and enjoining a narcotics and gang related public nuisance that exists at an apartment complex with addresses commonly known as 605 East 109th Place, 607 East 109th Place, and 10918 Avalon Boulevard (the "Property"). The Action is brought pursuant to the Narcotics Abatement Law ("NAL"), California Health and Safety Code section 11570, *et seq.*; the Public Nuisance Law ("PNL"), California Civil Code sections 3479-3480; and the Unfair Competition Law ("UCL"), California Business and Professions Code section 17200, *et seq.*

1 2. The Property is a two-story, eight-unit apartment complex located on the
2 northeast corner of 109th Place and Avalon Boulevard in South Los Angeles. The Property is
3 located one block away from 109th Street Elementary School and across the street from Alain
4 LeRoy Locke College Preparatory Academy ("Locke" or the "School"). In fact, the Property is
5 clearly visible from Locke. At the end of each school day, several hundred students exit Locke
6 at 110th Street and Avalon Blvd. to walk home, causing many of them to pass by or go in the
7 vicinity of the Property.

8 3. For at least the past four years, the Property has been, and currently is, a
9 stronghold for the Back Street Crips gang ("BSC"), whose members and associates freely use
10 the Property and the area immediately surrounding it to conduct narcotics sales, as well as to
11 store narcotics and firearms. The Los Angeles Police Department ("LAPD") has received
12 numerous complaints from community members regarding the constant gang and narcotics-
13 related pedestrian and vehicular traffic around the Property, followed by hand-to-hand
14 narcotics transactions at all hours of the day. Since 2011, there have been at least 18 arrests
15 at or directly related to the Property, nine of which were narcotics related. Furthermore, LAPD
16 has recovered at least seven firearms from the Property since 2012.

17 4. Furthermore, while BSC uses the Property as its base of operations, BSC's
18 presence emanates from the Property into the entire neighborhood. A group of BSC members
19 and/or associates frequently loiters in and around the Property's un-gated parking lot, which is
20 located on the southeast corner of the Property. The parking lot's sole access is via an alley
21 that runs north-south, which is located just east of the Property (hereinafter, the "Alley"). As
22 such, the activity that occurs in the Property's parking lot – including, without limitation,
23 loitering and sales of narcotics – often spills into the Alley. Additionally, various BSC lookouts
24 are planted in strategic places, such as on the Property's second floor landing or at the
25 Property's southeast corner. The lookouts alert the other BSC members and/or associates
26 conducting their narcotics transactions on the Property to the presence of any law enforcement
27 or rival gangs. BSC also sends roving patrols around the neighborhood to scout for law
28 enforcement.

1 5. Due to the well-known reputation of the Property in the community as a BSC
2 stronghold, the Property has become a target for gunfire, occurring as recently as January 30,
3 2015. Locke, which was in session at the time, was forced to go on lockdown until it was
4 deemed safe for classes to resume. It is sadly no surprise that the School has safety
5 measures to protect its students from narcotics and gang-related activity, including a bullet-
6 proof wall along Avalon Boulevard to shield its students from stray bullets.

7 6. The Property is owned by MICHAEL JEFFREY HAYDEN and MICHELLE
8 HELEN WILSON, as trustees of the GOLDEN BOUGH TRUST DATED JULY 3, 2001
9 (collectively, "Defendants"). Defendants have owned the Property since at least November 17,
10 2010. Defendants were advised of the gang and narcotics activity occurring on the Property
11 several years ago but have failed to implement any measures to mitigate the activity.

12 7. This nuisance abatement prosecution is intended to bring the unacceptable state
13 of affairs at the Property to a halt; to make the Property inhospitable to the gang members and
14 associated criminals who now freely use it to facilitate their various narcotics and other criminal
15 activities; and to make the Property safe for the people who live, go to school, and/or do
16 business in the surrounding area.

17 II. THE PARTIES AND THE PROPERTY

18 A. The Plaintiff

19 8. Plaintiff, the People, is the sovereign power of the State of California designated
20 in California Health and Safety Code section 11571 and California Code of Civil Procedure
21 section 731 to be the complaining party in actions brought to abate, enjoin, and penalize
22 narcotics nuisances and public nuisances, respectively. Furthermore, the City of Los Angeles
23 has a population in excess of 750,000, and as such, California Business and Professions Code
24 section 17204 authorizes Plaintiff, the People, to prosecute actions for relief under California
25 Business and Professions Code section 17200, *et seq.* for unfair competition.

26 B. The Defendants

27 9. Defendants MICHAEL JEFFREY HAYDEN and MICHELLE HELEN WILSON, as
28 trustees of the GOLDEN BOUGH TRUST DATED JULY 3, 2001, have been the record owners

1 of the Property since at least November 17, 2010.

2 10. The true names and capacities of defendants sued herein as Does 1 through 50,
3 inclusive, are unknown to Plaintiff, who therefore sues said defendants by such fictitious
4 names. When the true names and capacities of said defendants have been ascertained,
5 Plaintiff will seek leave of Court to amend this complaint and to insert in lieu of such fictitious
6 names the true names and capacities of said fictitiously named defendants.

7 **C. The Property**

8 11. The Property is a two-story, eight-unit apartment complex located on the
9 northeast corner of 109th Place and Avalon Boulevard with addresses commonly known as 605
10 East 109th Place, 607 East 109th Place, and 10918 Avalon Boulevard in Los Angeles,
11 California 90059. The Property's legal description is "Lots 1 and 2, Block 35 of Tract No. 6478,
12 in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in
13 Book 68 pages 93-99 inclusive of maps, in the office of the County Recorder of said county.
14 Except all water per deed recorded in Book 13133 Page 94 official records," with Assessor's
15 Parcel Number 6071-003-028.

16 **III. THE NARCOTICS ABATEMENT LAW**

17 12. The abatement of a nuisance is a long established and well-recognized exercise
18 of the state's police power. (*People v. Barbieri* (1917) 33 Cal.App. 770, 775; *People ex rel.*
19 *Hicks v. Sarong Gals* (1974) 42 Cal.App.3d 556, 563.) Since its enactment in 1972, the
20 principal purpose of the NAL (Health & Saf. Code, § 11570, *et seq.*) is the abatement of
21 buildings and places "used for the purpose of unlawfully selling, serving, storing, keeping,
22 manufacturing, or giving away any controlled substance, precursor, or analog specified in this
23 division" (Health & Saf. Code, § 11570).

24 13. The NAL provides that every building or place used for the purpose of unlawfully
25 selling, serving, storing, keeping, manufacturing, or giving away any controlled substance,
26 precursor, or analog, *inter alia*, "is a nuisance which **shall** be enjoined, abated, and prevented .
27 . . whether it is a public or private nuisance." (Health & Saf. Code, § 11570 (emphasis added);
28

1 *People ex rel Lungren v. Peron* (1997) 59 Cal.App.4th 1383, 1389; *Lew v. Superior Court*
2 (1993) 20 Cal.App.4th 866, 870-871.)

3 14. Health and Safety Code section 11571 authorizes a city attorney to bring an
4 action to abate, prevent and perpetually enjoin such nuisances. It provides in relevant part:
5 "Whenever there is reason to believe that a nuisance as described in Section 11570 is kept,
6 maintained, or exists in any county, the district attorney of the county, or the city attorney of
7 any incorporated city or of any city and county, in the name of the people, may . . . maintain an
8 action to abate and prevent the nuisance and perpetually to enjoin the person conducting or
9 maintaining it, and the owner, lessee, or agent of the building or place in or upon which the
10 nuisance exists from directly or indirectly maintaining or permitting the nuisance."

11 15. Health and Safety Code section 11573(a) provides that: "If the existence of the
12 nuisance is shown in the action to the satisfaction of the court or judge, either by verified
13 complaint or affidavit, the court or judge **shall** allow a temporary restraining order or injunction
14 to abate and prevent the continuance or recurrence of the nuisance." (Emphasis added.) In
15 addition, Health and Safety Code section 11581 provides, as an additional remedy, for the
16 removal and sale of all fixtures and movable property on the premises used in aiding or
17 abetting the nuisance and for the closure of the building for up to one year.

18 IV. THE PUBLIC NUISANCE LAW

19 16. Civil Code section 3479 defines a public nuisance as "[a]nything which is
20 injurious to health, including, but not limited to, the illegal sale of controlled substances, or is
21 indecent or offensive to the senses, or an obstruction to the free use of property, so as to
22 interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free
23 passage or use, in the customary manner, of any . . . public park, square, street, or highway .
24 . ." (See *City of Bakersfield v. Miller* (1966) 64 Cal.2d 93, 99 ("The Legislature has defined in
25 general terms the word 'nuisance' in Civil Code section 3479. . . .").)

26 17. Civil Code section 3480 defines a public nuisance as "one which affects at the
27 same time an entire community or neighborhood, or any considerable number of persons,
28 although the extent of the annoyance or damage inflicted upon individuals may be unequal."

1 18. In particular, gang activity, such as drug dealing, loitering, consumption of alcohol
2 and illegal drugs, and boisterous conduct which creates a "hooligan-like atmosphere"
3 constitutes a public nuisance. (*People ex rel. Gallo v. Acuna* (1997) 14 Cal.4th 1090, 1120.)

4 19. Civil Code section 3491 provides for the methods by which public nuisances
5 such as those alleged herein may be abated. Civil Code section 3491 states that the
6 "remedies against a public nuisance are indictment or information, a civil action or abatement."
7 Abatement is "accomplished by a court of equity by means of an injunction proper and suitable
8 to the facts of each case." (*Sullivan v. Royer* (1887) 72 Cal. 248, 249; see also *People v.*
9 *Selby Smelting and Lead Co.* (1912) 163 Cal.84, 90 ("[I]n California, the rule is well established
10 that in proper cases injunctive relief which accomplishes the purposes of abatement without its
11 harsh features is permissible.").)

12 20. Code of Civil Procedure section 731 authorizes a city attorney to bring an action
13 to enjoin or abate a public nuisance. It provides in relevant part "[a] civil action may be brought
14 in the name of the people of the State of California to abate a public nuisance . . . by the city
15 attorney of any town or city in which such nuisance exists."

16 21. Where "a building or other property is so used as to make it a nuisance under the
17 statute, the nuisance may be abated . . . , notwithstanding that the owner had no knowledge
18 that it was used for the unlawful purpose constituting a nuisance." (*People ex rel. Bradford v.*
19 *Barbiere* (1917) 33 Cal.App. 770, 779; see also *Sturges v. Charles L. Harney, Inc.* (1958) 165
20 Cal.App.2d 306, 318 ("a nuisance and liability therefore may exist without negligence"); *People*
21 *v. McCadden* (1920) 48 Cal.App. 790, 792 ("A judgment supported on findings that such
22 nuisance was conducted and maintained on the premises in question, regardless of the
23 knowledge of the owner thereof, is sufficient. Such knowledge on the part of the owner . . . is
24 unnecessary."); *People v. Peterson* (1920) 45 Cal.App. 457, 460 ("[I]t was not necessary . . .
25 for the trial court to find either, that the [defendants] threatened, and unless restrained, would
26 continue to maintain, aid, and abet, the nuisance, or that they knew the building was used in
27 violation of the act. . . . The existence of the nuisance was the ultimate fact in this case, and
28 having been found, supports the judgment.").) This is because "the object of the act is not to

1 punish; its purpose is to effect a reformation of the property itself." (*People v. Bayside Land*
2 *Co.* (1920) 48 Cal.App. 257, 261.)

3 **V. UNFAIR COMPETITION LAW**

4 22. The practices forbidden by California's Unfair Competition Law at Business and
5 Professions Code section 17200 *et seq.* include any practices forbidden by law, be they
6 criminal, federal, state, municipal, statutory, regulatory or court-made. As the California
7 Supreme Court has explained, the UCL "borrows violations of other laws and treats them as
8 unlawful practices independently actionable under section 17200 *et seq.*" (*South Bay*
9 *Chevrolet v. General Motors Acceptance Corp.* (1999) 72 Cal.App.4th 861, 880 (internal
10 citations and quotation marks omitted).)

11 23. As proscribed by the UCL, "[a]n 'unlawful business activity' includes anything that
12 can properly be called a business practice and that at the same time is forbidden by law."
13 (*People v. McKale* (1979) 25 Cal.3d 626, 632.) Moreover, the UCL casts a broad net. "Any
14 person performing or proposing to perform an act of unfair competition may be enjoined"
15 (Bus. & Prof. Code, § 17203.) The term "person" includes "natural persons, corporations,
16 firms, partnerships, joint stock companies, associations and other organizations of persons."
17 (Bus. & Prof. Code, § 17201.) The courts have expanded section 17200's net beyond direct
18 liability to include common law doctrines of secondary liability where the liability of each
19 defendant is predicated on his or her personal participation in the unlawful practices. (*People*
20 *v. Toomey* (1985) 157 Cal.App.3d 1, 14; *Emery v. Visa Int'l Service Ass'n* (2002) 95
21 Cal.App.4th 952, 960.)

22 24. Civil actions under the UCL may be brought in the name of the People of the
23 State of California by any city attorney of a city having a population in excess of 750,000 (Bus.
24 & Prof. Code, § 17204), such as the City of Los Angeles. A public entity can sue pursuant to
25 section 17200 based on violations of its own municipal code, state law, or other local
26 ordinance. (*People v. Thomas Shelton Powers, M.D., Inc.* (1992) 2 Cal.App.4th 330, 338-
27 339.)

28 25. Defendants engaging in violations of the UCL may be enjoined in any court of

competent jurisdiction. (Bus. & Profs. Code, § 17203.) A court may make such orders or judgments, including appointment of a receiver, as may be necessary to prevent the use or employment by any person of any practice constituting unfair competition. (*Id.*)

26. Although no case has specifically been called upon to define the term “business” in section 17200, courts have frequently given a broad reading to the provisions of the UCL so as to effect its broad remedial purposes. (See, e.g., *Barquis v. Merchants Collection Ass’n* (1972) 7 Cal.3d 94, 111-113.) An enterprise engaged entirely in criminal conduct such as the manufacture of illegal drugs or obscene matter is a business for purposes of section 17200. (*People v. EWAP, Inc.* (1980) 106 Cal.App.3d 315, 320-321.) Moreover, recent amendments to section 17200 make clear that even a one-time act of misconduct can constitute a violation of the UCL. (*Klein v. Earth Elements, Inc.* (1997) 59 Cal.App.4th 965, 969.)

27. Further, the ownership and operation of a rental apartment complex is, axiomatically, a business. (See *People ex rel. City of Santa Monica v. Gabriel* (2010), 186 Cal.App.4th 882, 888 (“The renting of residential housing is a business.”); see also *Barquis v. Merchants Collection Ass’n*, (1972) 7 Cal.3d 94, 111-113 (giving a broad meaning of the UCL so as to effect its broad remedial purposes).) Thus, when a property owner conducts, maintains or permits a nuisance that is unlawful under the NAL and/or PNL to exist on the premises of such a business, it is a violation of the UCL. (See *San Francisco v. Sainez* (2000) 77 Cal.App.4th 1302, 1323.)

VI. FIRST CAUSE OF ACTION FOR NARCOTICS ABATEMENT

[Health and Safety Code Section 11570, et seq. --

Against All Defendants and DOES 1 through 50]

28. Plaintiff hereby incorporates by reference paragraphs 1 through 27 of this Complaint and makes them part of the First Cause of Action, as if fully set forth herein.

29. The Property has been from an exact date unknown but since at least 2011, and is currently being used for the purposes of unlawfully selling, serving, storing, keeping, manufacturing or giving away controlled substances in violation of Health and Safety Code section 11570, et seq. Specific examples of such activity include, but are not limited to, the

1 following:

2 a. On **January 20, 2011**, LAPD Southeast area patrol officers were driving
3 northbound through the Alley when they observed Khalii Calhoun AKA "Bobo," who is a
4 documented BSC member, walking to the north side of the Property from another apartment
5 complex located directly north of the Property at 10914 Avalon Boulevard (hereinafter, "10914
6 Avalon"). Calhoun was holding a clear plastic baggy containing marijuana. Officers also
7 observed Domiya Draper, who was holding U.S. currency in his hand, standing with an
8 unidentified Hispanic male in the Alley behind 10914 Avalon. Upon seeing the officers, Draper
9 quickly placed the currency behind his back. As officers exited their vehicles to investigate,
10 two other unidentified black males, one of whom was holding his waistband area, ran
11 northbound through the Alley and fled eastbound on 109th Street. Officers followed in pursuit
12 but were unable to locate them. After responding back to the Alley, officers observed Draper
13 walking briskly from the Alley to a Dodge sedan that was parked in the Property's parking lot.
14 Draper entered the backseat and attempted to conceal himself by lying down. Officers also
15 observed Calhoun sitting in the driver's seat of the Dodge sedan and Jamal Thomas sitting in
16 the front passenger seat. After ordering all three individuals outside of the vehicle, officers
17 noticed a strong odor of marijuana coming from both Draper and Calhoun. Officers searched
18 Draper, who was on parole, and recovered: a clear plastic baggy containing several individual
19 buds of high quality marijuana from his right sock, as well as \$1,500 in various denominations
20 from his right, front, shorts pocket. Calhoun was also searched and officers recovered a baggy
21 containing marijuana from his left, front shorts pocket as well as \$520 in various denominations
22 from his right, front shorts pocket. Draper and Calhoun were arrested for possession of
23 marijuana for sale.

24 b. On **March 29, 2013**, officers arrested an individual for possession of
25 methamphetamine as he walked away from the Property. Approximately 15 minutes after this
26 arrest, officers were driving by the Property again when they observed several individuals on
27 the second floor landing of the Property, which overlooks 109th Place. Upon seeing the
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1 officers, the individuals began to yell "one time"¹ to Deshawn Smith, who was walking
2 eastbound on 109th Place towards the Alley. Officers also observed Jamaal Bishop walking to
3 a vehicle parked in the Property's parking lot where Khalil Crump AKA "JCrazy," a documented
4 BSC member, was sitting in the driver's seat. Both Bishop and Crump looked in the officers'
5 direction and appeared nervous. After Bishop reached into the driver's side window, as if to
6 conceal or discard contraband, Crump began to back up his vehicle to leave the Property.
7 Officers immediately stopped and detained both Bishop and Crump. Upon conducting a parole
8 search of Crump's vehicle, officers recovered from a wool cap in the vehicle's engine
9 compartment, a green plastic vial containing thirteen pieces of rock cocaine as well as a clear
10 plastic bindle with at least ten additional pieces of rock cocaine. Crump spontaneously
11 informed officers that he was selling cocaine because it was better than committing robberies
12 and explained that drug dealing was a victimless crime because "users were approaching
13 him." Officers also recovered from Crump a total of \$295 in various denominations. Crump
14 was arrested for possession of rock cocaine for sales while Smith was arrested on a
15 misdemeanor warrant.

16 c. On **April 23, 2013**, an LAPD non-confidential informant ("NCI"), who was
17 equipped with a covert video and audio recording device, approached Chantelle Zimmerman
18 AKA "Cool," a documented BSC member, in the Property's parking lot to purchase rock
19 cocaine. Zimmerman instructed the NCI to wait in the Alley. Zimmerman then walked
20 northbound before turning around the northeast corner of the Property. Shortly thereafter,
21 Zimmerman returned to the NCI and provided two clear plastic bindles, each containing rock
22 cocaine, in exchange for \$20. Upon arresting Zimmerman in the Alley, officers recovered the
23 NCI's money as well as \$67 in various denominations. Zimmerman also told officers, "I have
24 something I shouldn't have" while looking down at her waistband. From her waistband, officers
25 recovered numerous clear, plastic bindles, each of which contained rock cocaine and all of
26 which were held together in a large, plastic bindle. Officers also recovered a single piece of
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¹ "One time" is street vernacular used to alert others to the presence of law enforcement.

1 rock cocaine from the ground in the Alley. Zimmerman was arrested for sales of rock cocaine.

2 d. On **April 8, 2014**, LAPD's Southeast Narcotics Enforcement Detail was
3 conducting surveillance of the Property's parking lot. During their surveillance, officers
4 observed several individuals approach an unknown male, black individual ("UNK") standing on
5 the Property near the entrance of the apartment complex and engage in brief conversation
6 before handing money to the UNK. The UNK would then walk to the north side of the
7 apartment complex on the Property for a few seconds, out of the officers' sight, before
8 returning to hand the individuals an object. Officers observed three such transactions.
9 Subsequently, officers observed Carolyn Sullivan approach the UNK and engage in a similar
10 transaction wherein Sullivan provided the UNK money, the UNK walked to the north side of
11 Property's apartment complex, and then several seconds later, the UNK returned and handed
12 Sullivan an object. Sullivan then got into the passenger's side of a waiting vehicle. Officers
13 followed the vehicle and stopped it several blocks away from the Property. As officers
14 approached Sullivan in the vehicle, she reached outside the window and dropped several
15 pieces of rock cocaine onto the ground, which officers were able to recover. Sullivan was
16 arrested for possession of rock cocaine. Due to limited resources, officers were not able to
17 locate the UNK after Sullivan was taken into custody.

18 e. On **August 31, 2014**, officers observed Donald Walker standing with
19 Deshawn Smith and Geonte Session in the Property's parking lot. Officers also observed a
20 vehicle parked in the Property's parking lot: Dayvon Smith was seated in the driver's seat and
21 David Jackson was seated in the front passenger's seat. Each of the individuals were
22 searched for the officers' safety. From Walker, officers recovered a baggy containing twenty
23 eight individually wrapped pieces of rock cocaine from Walker's right, front, shorts pocket,
24 cellophane containing methamphetamine from his left sock, and \$70 from his wallet in various
25 denominations that were consistent with narcotics sales. Walker, who admitted to officers that
26 he was selling rock cocaine because he did not have a job, was arrested for possession of
27 rock cocaine for sales.

1 f. On **September 31, 2014**, LAPD was conducting surveillance of the
2 Property. They observed ten to fifteen individuals loitering in and around the Property's
3 parking lot and at the mouth of the Alley. On several occasions, they observed three to five
4 different individuals leave the large group to walk up the stairs of the Property and enter unit #7
5 and #8. Some of the individuals from the group would also walk over to the southeast corner
6 of 109th Place and Avalon Boulevard to loiter and throw gang signs with their hands at the
7 vehicles driving by and at pedestrians walking on the west side of Avalon Boulevard. They
8 would also alert the group standing in the Alley of the presence of any law enforcement. In
9 addition, officers observed roving patrols wherein different individuals would ride their bicycles
10 up and down Avalon Boulevard and look into cars, as if scouting for law enforcement. During
11 this surveillance, officers also observed several occasions where individuals approached a
12 male black individual wearing a fedora-style hat, who was loitering in the Property's parking lot
13 next to a large, orange dumpster. They would then walk behind the north side of the
14 Property's apartment complex, out of officers' sight. Such activity is consistent with the sale of
15 narcotics.

16 g. On **October 8, 2014**, officers observed a large group of BSC members
17 loitering in the Property's parking lot. When officers stopped to investigate, they observed U.S.
18 currency poking out from the inside of a metal, T-shaped bar typically used to hang clothes,
19 which was located on the north side of the Property. Upon searching the T-shaped bar,
20 officers recovered \$20 as well as a clear plastic bag containing rock cocaine.

21 h. On **October 14, 2014**, a non-confidential informant ("NCI"), who was
22 equipped with a covert video and audio recording device, met with Michael Harris AKA "Mace,"
23 Mike," and/or "Mouse," a documented BSC member, in the Property's parking lot. The NCI
24 asked to purchase a "dub," which is street vernacular for \$20 worth of rock cocaine. Harris
25 questioned the NCI to determine whether the NCI was working with law enforcement.
26 Satisfied with the NCI's responses, Harris then allowed Dayvon Smith AKA "Bear," "Tiny Bear,"
27 "Day Day," or "Dee Dee," another documented BSC member, to approach the NCI. Smith took
28 \$20 from the NCI and directed the NCI to remain in the Property's parking lot as he made his

1 way around the northeast corner of the Property. Approximately three to four minutes later,
2 Smith returned and met the NCI in the Property's parking lot to provide two pieces of rock
3 cocaine.

4 i. On **October 23, 2014**, officers conducted a trespass investigation of the
5 Property's laundry room. Inside, they detained Diandre Brown, Brenda Bell, and Shikima
6 Mckinney, none of whom resided at the Property. Upon searching the laundry room, officers
7 recovered live ammunition, which was located inside a red bucket on top of a dryer, as well as
8 a box of ammunition inside a vent. Officers also searched a metal, T-shaped bar used to hang
9 clothes located on the north side of the Property and recovered six pieces of rock cocaine.

10 j. On **November 16, 2014**, officers observed Deanthony Thomas AKA "D,"
11 who is a documented BSC member, walking from a walkway located on the north side of the
12 Property towards a blue vehicle that was parked in the Property's parking lot. As soon as
13 Thomas made eye contact with officers, however, he stopped, his body became rigid, his eyes
14 widened, and he appeared to be frightened. He then immediately turned around and fled
15 westbound back down the Property's north side walkway. Officers were able to detain
16 Thomas, along with three other known BCS members who were loitering in the blue vehicle.
17 Upon re-tracing Thomas' steps down the walkway, officers observed that a large wooden
18 cabinet attached to the north wall of the apartment complex on the Property was slightly ajar.
19 The cabinet contained a fuse box, on top of which officers located a clear plastic baggie
20 containing approximately fifteen pieces of rock cocaine. A few of the rocks were individually
21 wrapped in clear plastic, which is consistent with the distribution of narcotics for street sales.
22 Thomas was subsequently arrested for possession of rock cocaine for sales.

23 k. On **December 8, 2014**, an NCI working with LAPD went to the Property to
24 purchase narcotics. The NCI was met by approximately four, male, black individuals
25 (hereinafter, the "Group"), who were standing east of the Property, across the Alley. The NCI
26 asked one of the individuals from the Group if he could purchase rock cocaine, but was told to
27 leave and not return to the area. Before the NCI left the Property's parking lot, however, he
28

1 met another individual (hereinafter, the "Hook")² who indicated that he could get the narcotics
2 for him. As the Hook explained to the NCI, the Group would not sell narcotics to unfamiliar
3 people. As such, the Hook walked the NCI over to a bakery nearby, which is located south of
4 the Property across 109th Place (hereinafter, the "Bakery"), and instructed the NCI to wait
5 there. The Hook indicated that he would buy the narcotics from the individuals loitering at the
6 Property. The Hook took \$20 from the NCI and made his way back to the Property by crossing
7 109th Place, through the Property's parking lot, and then finally to the northeast corner of the
8 Property, out of sight. Approximately three to four minutes later, the Hook returned to the
9 Bakery and provided the NCI a piece of rock cocaine. As the NCI left the area, one of the
10 individuals from the Group followed the NCI to watch him leave, and then returned to the south
11 side of 109th Place to shake the Hook's hand. Officers then observed this individual throw up
12 both of his hands to make gang signs for the BSC gang, as he walked north across 109th Place
13 to make his way back to the Group, which had moved into the Alley.

14 I. On **December 17, 2014**, an NCI, who was equipped with a covert video
15 and audio recording device, met with the Hook at a car wash located just south of the Property
16 and directly adjacent to the Bakery (hereinafter, the "Car Wash"), to request \$40 worth of rock
17 cocaine. The Hook told the NCI that he could get it from across 109th Place, referring to a
18 group of individuals loitering by the Property. The NCI was instructed to wait at the Bakery.
19 The Hook walked around the Car Wash for approximately 10 minutes doing odd jobs and then
20 appeared to use his cell phone to text an unknown person. After using his cell phone, the
21 Hook made his way across 109th Place to the Property's parking lot. He walked north through
22 the Property's parking lot and out of sight, while six individuals loitered and acted as lookouts
23 at the Alley. Prior to the Hook returning to the NCI, several black male individuals conducted
24 roving patrols around the block, looking at individuals as well as vehicles. Several minutes
25 later, the Hook returned to the Bakery and provided the NCI one piece of rock cocaine. When
26 the NCI explained that the Hook was short on the amount of narcotics, the Hook pulled out his
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² A "hook" is a middleman between a seller and a buyer, and is commonly used in narcotics transactions in an effort to insulate the dealer and avoid detection by law enforcement.

1 cell phone again and texted an unknown person. Three minutes later, an unidentified, black,
2 male individual (UNK 2) walked across 109th Place from the Alley to the Car Wash where he
3 met the Hook. The UNK 2 handed another piece of rock cocaine to the Hook, who walked
4 over to the NCI to pass on the narcotics. The UNK 2 then walked back towards the Property.
5 As he crossed 109th Place, he attempted to fold up U.S. currency and place it in his pants
6 pocket when he dropped a baseball-sized, clear, plastic baggie containing rock cocaine. The
7 UNK 2 stopped, looked around, picked up the baggie of narcotics, and placed it in his pants
8 pocket. He then walked back to the group of individuals loitering in the Property's parking lot
9 and in the Alley. Shortly thereafter, the UNK 2 pulled out his cell phone, made his way through
10 the Property's gate, walked up the stairs of the apartment complex located on the Property,
11 and entered unit #7. Approximately five minutes later, the UNK 2 exited unit #7, walked down
12 the stairs, and rejoined the group still loitering in the Property's parking lot and in the Alley.

13 m. On **January 6, 2015**, an NCI, who was equipped with a covert video and
14 audio recording device, met with the Hook again at the Car Wash. The Hook told the NCI he
15 could get rock cocaine from the individuals loitering at the Property, all of whom were identified
16 by LAPD as documented BSC members. Similar to the incident on December 17, 2014, the
17 Hook took the NCI's money and directed the NCI to wait at the Bakery. Approximately ten
18 minutes later, the Hook appeared to text message an unknown person from his cell phone. He
19 then walked to the north side of the Car Wash to give the NCI's money to Kenneth Russell
20 AKA "Taz," who is a documented BSC member. Russell then crossed 109th Place and walked
21 to the Property's parking lot where he met with Brandyn Thomas AKA "B," "Baby Face," "B-
22 Dog," "Frost," and/or "Iceman," another documented BSC member. After handing the money
23 to Thomas, Russell returned to the north side of the car wash and handed the Hook two pieces
24 of rock cocaine. The Hook then walked over to the NCI at the Bakery and provided the rock
25 cocaine, completing the narcotics deal. Meanwhile, officers observed Thomas meeting with
26 yet another documented BSC member, Michael Harris, in the Property's parking lot. Thomas
27 appeared to hand Harris some money and an unknown small object. Harris then made his
28 way through the Property's gate, walked up the stairs of the apartment building on the

1 Property, and entered unit #8. Approximately five minutes later, Harris exited the unit, crossed
2 109th Place, and joined a group of individuals loitering in the alley adjacent to the Car Wash.
3 At the conclusion of the operation, a marked LAPD vehicle was sent to the alley adjacent to
4 the Car Wash to identify the individuals. They included Russell, Thomas, Letrell Callahan AKA
5 "Mouse" or "Mike Mike," and Labron Callahan AKA "Moses," all of whom are documented BSC
6 members. Each of the individuals were also patted down, during which officers found a total of
7 \$300 from Letrell Callahan in denominations of \$1, \$5, and \$20 bills, which is consistent with
8 narcotics sales.

9 n. On **January 13, 2015**, an NCI, again, met the Hook at the Car Wash and
10 was directed to wait at the Bakery. After taking the NCI's money, the Hook spent
11 approximately fifteen minutes washing a car at the Car Wash before crossing the Car Wash's
12 parking lot to meet with Brandyn Thomas, who was also washing a car at the Car Wash, a red
13 Pontiac. Thomas, a known BSC member, provided two pieces of rock cocaine to the Hook in
14 exchange for the NCI's money. Five minutes later, the Hook returned to the Bakery and
15 provided the narcotics to the NCI. Approximately five minutes after the deal was completed,
16 Thomas got into the red Pontiac, drove out of the Car Wash, crossed 109th Place, and parked
17 his vehicle in the Property's parking lot where additional BSC members were loitering.
18 Thomas then exited the vehicle and engaged in conversation with the other BSC members.

19 o. On **February 24, 2015**, LAPD officers were driving northbound through
20 the Alley when they observed Letrell Callahan, a documented BSC member, standing on the
21 north side of the Property, about to hand an unknown object to Bruce Jones. When Callahan
22 saw officers approaching, he looked surprised and dropped the unknown object. Both
23 Callahan and Jones then walked away from each other in separate directions. Officers were
24 able to detain both individuals and recover three pieces of rock cocaine from the ground in the
25 area where Callahan had dropped the unknown object. Officers also recovered \$194 from
26 Callahan's pocket. When officers questioned Jones regarding what he was doing at the
27 Property, he responded, "You know what they do there, they sell drugs. If I tell you they will kill
28 me." Callahan was arrested for possession of rock cocaine for sale.

1 p. On **March 4, 2015**, officers observed Deshawn Smith, a documented BSC
2 member, standing on the Property. When Smith saw officers, he appeared nervous and
3 immediately placed his right hand against the front pocket area of his sweater, which covered
4 his waistband, and took what appeared to be a pistol grip. He then began running westbound
5 on the north side of the Property. Officers quickly followed on foot. During the foot chase, an
6 officer observed Smith remove a long black object from his front waist band and toss it into an
7 open crawl space vent located at the bottom of the north wall of the Property's apartment
8 building. Smith then continued to flee from officers. When Smith was finally detained, officers
9 returned to the crawl space located on the north wall of the Property's apartment building and
10 recovered a clear plastic baggie containing cocaine base on the walkway leading to the crawl
11 space. From the crawl space itself, officers recovered a loaded, .22 caliber revolver and a box
12 of ammunition. Officers also recovered \$1,026 from Smith's right, front pants pocket. Smith
13 was arrested for being a felon in possession of a firearm.

14 30. Defendants, and DOES 1 through 50, are responsible for conducting,
15 maintaining, and/or directly or indirectly permitting the nuisance as alleged herein. Plaintiff has
16 no plain, speedy and adequate remedy at law, and unless Defendants and DOES 1 through 50
17 are restrained and enjoined by order of this Court, they will continue to use, occupy and
18 maintain, and/or to aid, abet or permit, directly or indirectly, the use, occupation and
19 maintenance of the Property, together with the fixtures and appurtenances located therein, for
20 the nuisance complained of herein, to the great and irreparable damage of the public and in
21 violation of California law.

22 **VII. SECOND CAUSE OF ACTION FOR PUBLIC NUISANCE**

23 **[Civil Code Section 3479, et seq. --**

24 **Against All Defendants and DOES 1 through 50]**

25 31. Plaintiff incorporates by reference Paragraphs 1 through 30 of this Complaint and
26 makes them part of this Second Cause of Action as though fully set forth herein.

27 32. Since at least January 2011, through the present time, Defendants, and DOES 1
28 through 50, have owned, operated, occupied, used, and/or directly or indirectly permitted to be

1 occupied and used, the Property in such a manner as to constitute a public nuisance in
2 violation of Civil Code sections 3479 and 3480. The public nuisance, as described herein, is
3 injurious to health, indecent or offensive to the senses, and/or an obstruction to the free use of
4 property, so as to substantially and unreasonably interfere with the comfortable enjoyment of
5 life or property by those persons living in the surrounding community. The public nuisance at
6 and around the Property consists of, but is not limited to: illegal narcotics sales, storage, and/or
7 distribution; the presence of illegal firearms; and the threatening and disorderly presence of
8 gang members. Specific examples of such public nuisance activity not previously alleged
9 herein include, but are not limited to, the following:

10 a. On **May 19, 2012**, officers observed Kahlil Crump AKA "Jay Crazy," a
11 documented BSC member, remove a pistol from his front waistband and hand it to an
12 unknown individual through a hole in a boarded-up window of the Property's laundry room.
13 Officers immediately detained Crump and another individual, David Jackson, who was walking
14 away from the laundry room. Upon searching the laundry room, Officers recovered 20-30
15 empty and ripped clear plastic baggies, which are commonly used in the packaging and sales
16 of narcotics, as well as a 9 mm, semi-automatic handgun Crump had handed off to an
17 unknown individual, which was loaded. Officers also observed an open drain pipe filled with
18 water near the baggies, which may have been used to dispose narcotics. Crump, who was on
19 parole for an assault with a deadly weapon with a handgun and had a prior felony conviction
20 for possession of a handgun, was arrested.

21 b. On **June 4, 2012**, a resident of the Property informed LAPD that after
22 hearing a gunshot outside her residence, she discovered a bullet fragment on the sidewalk in
23 front of the Property.

24 c. On **October 25, 2012**, Los Angeles City trash collectors were working
25 their route when they stopped in front of the Property to collect the trash using the automated
26 arm of the trash truck. While doing so, however, they heard a clanking sound. They
27 discovered the sound was caused by a loaded, .38 caliber revolver, which they immediately
28 surrendered to LAPD.

1 d. On **January 3, 2013**, a concerned citizen flagged down officers to report a
2 possible man with a gun in the area around the Property. The officers searched the area and
3 recovered a BB gun and a magazine from a planter on the Property.

4 e. On **July 5, 2013**, officers observed Labron Callahan, a documented BSC
5 member, seated on a wooden chair on the second floor landing of the Property while holding
6 an object in his hands. Just the day prior, an individual was spray painting "112 Neighborhood
7 Crips" and "BSK" (short for Back Street Killer), which are rival gangs of BSC, near the Property
8 when he was shot by two suspects. LAPD surmised that other BSC members would arm
9 themselves in the event of a retaliation shooting and was providing extra patrol by the Property
10 on July 5, 2013, due to the Property's reputation for being a BSC hangout. Under the ottoman
11 seat near where Callahan was seated, officers recovered a loaded, .45 caliber, semi-automatic
12 handgun, which was unregistered. Callahan was arrested for being a felon in possession of a
13 firearm.

14 f. On **March 19, 2014**, officers observed Deandre Smith AKA "Lil Face,"
15 Dennis Shelton AKA "Menace," and Jamaal Bishop, all of whom are documented BSC
16 members, loitering on the sidewalk in front of the Property. As officers stopped their vehicle to
17 investigate, Smith immediately grabbed his front waist band – an act that is consistent with
18 attempting to conceal narcotics or weapons – and backed up into the yard of the Property. He
19 then turned and ran up the stairs of the Property while continuing to hold his waist band,
20 ignoring officers' commands to stop. Smith then removed a dark, unknown object and threw it
21 towards a chair located on the second floor landing of the apartment complex before quickly
22 walking away. When officers attempted to detain him, Shelton resisted arrest, requiring
23 officers to use force. During this commotion, a crowd of eight to ten individuals gathered
24 around the site. Additional LAPD units arrived at the Property to provide assistance and
25 Shelton was eventually placed under arrest. Officers then recovered a loaded, .32 caliber,
26 semi-automatic pistol from the Property's second floor landing where Smith had previously
27 discarded the unknown item. Smith was arrested for being a minor in possession of a firearm.

28 g. On **April 8, 2014**, officers observed a small crowd of known BSC

1 members loitering in the Property's parking lot, one of whom was Vionte Wooden AKA
2 "Smash," who was wanted on an outstanding warrant. Wooden was placed under arrest. As
3 he was being placed into the police vehicle, however, he turned to the crowd of BSC members
4 and called out, "This is BS!" (short for "Back Street") and "YM!" (short for "Young Monsters,"
5 which is a clique of BSC); the vociferous crowd responded the same.

6 h. On **May 18, 2014**, officers observed Marcqus Burgess, a documented
7 BSC member, quickly walking up the east side staircase of the Property while clutching a dark
8 object in his waistband area. When officers ordered him to stop, Burgess ignored their
9 commands and entered unit #8, locking the security door behind him. After the arrival of
10 additional LAPD units for assistance, all of the occupants were ordered out of the unit to
11 investigate a possible illegal possession of a firearm. One of the occupants, Jasmine
12 Henderson, informed LAPD that Burgess entered the unit, closed the door behind him, and sat
13 on the couch furthest from the front door. From that couch, tucked behind the back padding,
14 officers recovered a loaded, .357 caliber revolver. Burgess attempted to explain to officers, "I
15 touched the gun, I didn't shoot the gun. It was a while ago." Burgess was arrested for
16 possession of a loaded firearm.

17 i. On **February 27, 2015**, officers responded to the Property due to a large
18 group of known gang members and affiliates openly gambling on the sidewalk located
19 southeast of the Property. After the crowd was dispersed, the officers conducted a foot patrol
20 of the Property. On the north side of the Property, an officer recovered nine live shotgun
21 rounds from a crawl space underneath the Property's apartment building.

22 j. On **March 31, 2015**, LAPD officers served a search warrant at the
23 Property. To secure the area for the search officers detained, amongst other individuals, two
24 documented BSC members on the Property. During their search, officers located a black
25 backpack in the northeast bedroom of unit #7, which contained an 11.5 mm handgun. Darell
26 Hardeman, who admitted that the handgun belonged to him, was arrested for being a felon in
27 possession of a firearm. Officers also located and arrested the Hook, who was identified as
28 Jesus Reyna-Valencia, at the Car Wash for narcotics sales, as well as Michael Harris, a

1 documented BSC member, who was arrested in the Alley for a felony warrant.

2 33. Defendants, and DOES 1 through 50, in owning, conducting, maintaining, and/or
3 permitting the use of the Property, directly or indirectly, as a public nuisance, have engaged in
4 wrongful conduct and caused a serious threat to the general health, safety and welfare of the
5 persons in the area surrounding the Property.

6 34. Unless Defendants, and DOES 1 through 50, are restrained and enjoined by
7 order of this Court, they will continue to use, occupy and maintain, and to aid, abet or permit,
8 directly or indirectly, the use, occupation, and maintenance of the Property, together with the
9 fixtures and appurtenances located therein, for the purpose complained of herein, to the great
10 and irreparable damage of Plaintiff and in violation of California law.

11 **VIII. THIRD CAUSE OF ACTION FOR UNFAIR COMPETITION**

12 **[Business and Professions Code Section 17200, et seq. --**

13 **Against All Defendants and DOES 1 through 50]**

14 35. Plaintiff hereby incorporates by reference paragraphs 1 through 34 of this
15 Complaint and makes them part of this Third Cause of Action, as if fully set forth herein.

16 36. Ownership and rental of residential housing, such as the Property, is a business.
17 When the owner of such a business violates the NAL and/or PNL such that a nuisance exists
18 and flourishes at the business' premises, as set forth herein, it is also a violation of the UCL.

19 37. Defendants and DOES 1-50 have violated the UCL by engaging in the following
20 unlawful or unfair business acts and practices: conducting, maintaining and/or permitting,
21 directly or indirectly, narcotics activity at the Property amounting to violations of the NAL as
22 alleged herein; and/or conducting, maintaining and/or permitting, directly or indirectly, narcotics
23 and other gang-related criminal and/or nuisance activity at the Property, as alleged herein, in
24 violation of the PNL.

25 38. Plaintiff has no adequate remedy at law, and unless Defendants and DOES 1-50
26 are restrained by this Court and a receiver is appointed to manage the Property, they will
27 continue to commit unlawful business practices or acts, thereby causing irreparable injury and
28 harm to the public's welfare.

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PRAYER

**WHEREFORE, PLAINTIFF PRAYS THAT THIS COURT ORDER, ADJUDGE AND
DECREE AS FOLLOWS:**

AS TO THE FIRST CAUSE OF ACTION

1. That Defendants, DOES 1 through 50, and the Property, be declared in violation of California Health and Safety Code section 11570, *et seq.*

2. That the Court order Defendants, as owners of the Property, to reside in the Property until the nuisance is abated, in accordance with California Health and Safety Code section 11573.5.

3. That the Property, together with the fixtures and moveable property therein and thereon, be found to constitute a public nuisance and be permanently abated as such in accordance with Section 11581 of the California Health and Safety Code.

4. That the Court grant a preliminary injunction, permanent injunction and order of abatement in accordance with Section 11570, *et seq.* of the California Health and Safety Code, enjoining and restraining each Defendant and their agents, officers, employees and anyone acting on their behalf, from unlawfully selling, serving, storing, keeping, manufacturing, or giving away controlled substances on the Property.

5. That the Court order physical and managerial improvements to the Property in accordance with California Health and Safety Code section 11573.5, and such orders as are otherwise appropriate, to remedy the nuisance on the Property and enhance the abatement process, including but not limited to, the following: an internet-connected video monitoring system accessible by LAPD; improved lighting; improved screening of tenants; armed, licensed security guards; and the prohibition of known gang members from accessing the Property.

6. That as part of the Judgment, an Order of Abatement be issued, and that the Property be closed for a period of one year, not to be used for any purpose, and be under the control and custody of this Court for said period of time, or, in the alternative, if the Court deems such closure to be unduly harmful to the community, that Defendants, and DOES 1

1 through 50, pay an amount equal to the fair market rental value of the Property for one year to
2 the City or County in whose jurisdiction the nuisance is located in accordance with Health and
3 Safety Code section 11581 subdivision (c)(1).

4 7. That each of the Defendants be assessed a civil penalty in an amount not to
5 exceed twenty-five thousand dollars (\$25,000.00).

6 8. That all fixtures and moveable property used in conducting, maintaining, aiding or
7 abetting the nuisance at the Property be removed by the LAPD and sold in the manner
8 provided for the sale of chattels under execution. Said fixtures and property shall be
9 inventoried and a list prepared and filed with this Court.

10 9. That there shall be excepted from said sale, such property to which title is
11 established in some third party not a defendant, nor agent, officer, employee or servant of any
12 defendant in this proceeding.

13 10. That the proceeds from said sale be deposited with this Court for payment of the
14 fees and costs of sale. Such costs may occur in closing said Property and keeping it closed,
15 removal of said property, and Plaintiff's costs in the Action, including attorneys' fees, and such
16 other costs as the Court shall deem proper.

17 11. That if the proceeds of the sale do not fully discharge all such costs, fees and
18 allowances, the Property shall also be sold under execution issued upon the order of the Court
19 or judge and the proceeds of such sale shall be applied in a like manner. That any excess
20 monies remaining after payment of approved costs shall be delivered to the owner of said
21 Property. Ownership shall be established to the satisfaction of this Court.

22 12. That Defendants, DOES 1 through 50, and any agents, trustees, officers,
23 employees and anyone acting on their behalf, and their heirs and assignees, be perpetually
24 enjoined from transferring, conveying, or encumbering any portion of the Property, for
25 consideration or otherwise, without first obtaining the Court's prior approval.

26 13. That Defendants, and DOES 1 through 50, be ordered to immediately notify any
27 transferees, purchasers, commercial lessees, or other successors in interest to the subject
28 Property of the existence and application of any temporary restraining order, preliminary

1 injunction, or permanent injunction to all prospective transferees, purchasers, commercial
2 lessees, or other successors in interest, *before* entering into any agreement to sell, lease or
3 transfer the Property, for consideration or otherwise, all or any portion of the Property that is
4 the subject of this Action.

5 14. That Defendants, and DOES 1 through 50, be ordered to immediately give a
6 complete, legible copy of any temporary restraining order and preliminary and permanent
7 injunctions to all prospective transferees, purchasers, lessees, or other successors in interest
8 to the Property.

9 15. That Defendants, and DOES 1 through 50, be ordered to immediately request
10 and procure signatures from all prospective transferees, purchasers, lessees, or other
11 successors in interest to the subject Property, which acknowledges his/her respective receipt
12 of a complete, legible copy of any temporary restraining order, preliminary and permanent
13 injunction, and deliver a copy of such acknowledgment to the Los Angeles City Attorney's
14 Office, c/o Deputy City Attorney Nancy C. Hagan or her designee.

15 16. That Plaintiff recover the costs of this Action, including law enforcement
16 investigative costs and any fees, including attorneys' fees, authorized by law, not to exceed
17 \$1,000,000.00, from Defendants and DOES 1 through 50.

18 AS TO THE SECOND CAUSE OF ACTION

19 1. That the Property, together with the fixtures and moveable property therein and
20 thereon, be declared a public nuisance and be permanently abated as such in accordance with
21 California Civil Code section 3491.

22 2. That each Defendant and their agents, officers, employees and anyone acting on
23 their behalf, and their heirs and assignees, be preliminarily and perpetually enjoined from
24 operating, conducting, using, occupying, or in any way permitting the use of the Property as a
25 public nuisance. Such orders should include, but not be limited to physical and managerial
26 improvements to the Property, and such other orders as are appropriate to remedy the
27 nuisance on the Property and enhance the abatement process.

28 3. Such costs as may occur in abating said nuisance at the Property and such other

1 costs as the Court shall deem just and proper.

2 4. That Plaintiff be granted such other and further relief as the Court deems just and
3 proper, including closure and/or demolition of the Property.

4 AS TO THE THIRD CAUSE OF ACTION

5 1. That each Defendant be declared in violation of Business and Professions Code
6 section 17200.

7 2. That each Defendant, as well as their agents, heirs, successors, and anyone
8 acting on their behalves, be permanently enjoined from maintaining, operating, or permitting
9 any unlawful or unfair business acts or practices in violation of Business and Professions Code
10 section 17200.

11 3. That the Court grant a preliminary and/or permanent injunction prohibiting each
12 Defendant, as well as their agents, heirs, successors, and anyone acting on their behalves,
13 from engaging in the unlawful or unfair acts and/or practices described herein at the Property
14 and in the City of Los Angeles. Such orders should include physical and managerial
15 improvements to the Property.

16 4. That, pursuant to Business and Professions Code section 17206, each
17 Defendant be assessed a civil penalty of \$2,500 for each and every act of unfair competition.

18 5. That, pursuant to the Court's equitable power and Business and Professions
19 Code section 17203, the Court make such orders or judgments, including appointment of a
20 receiver, to eliminate the unlawful or unfair competition alleged herein.

21 AS TO ALL CAUSES OF ACTION

22 1. That Plaintiff recover the amount of the filing fees and the amount of the fee for
23 the service of process or notices which would have been paid but for Government Code
24 section 6103.5, designating it as such. The fees may, at the Court's discretion, include the
25 amount of the fees for certifying and preparing transcripts.

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1 2. That Plaintiff be granted such other and further relief as the Court deems just and
2 proper.

3
4 DATED: April 8, 2015

Respectfully submitted,

5 MICHAEL N. FEUER, City Attorney
6 MARY CLARE MOLITOR, Chief, Crim. & Spec. Lit. Branch
7 JONATHAN CRISTALL, Superv. Assist. City Attorney
8 NANCY C. HAGAN, Deputy City Attorney

9 By: 

NANCY C. HAGAN

10 Attorneys for Plaintiff, THE PEOPLE OF THE
11 STATE OF CALIFORNIA
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